

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- against -

08 Cr. 434 (DAB)
ADOPTION OF REPORT
AND RECOMMENDATION

ANTHONY L. BULLARD,

Defendant.

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DEBORAH A. BATTIS, United States District Judge.

This matter is before the Court upon the May 19, 2008 Report and Recommendation ("Report") of United States Magistrate Judge Theodore H. Katz. Pursuant to 28 U.S.C. § 636(b)(1)(C), upon the issuance of a United States Magistrate Judge's Report and Recommendation and "[w]ithin ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b) (providing that "[w]ithin 10 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations"). Despite being advised of these rules in Judge Katz's Report, to date, no party to this action has filed an objection.

Where no timely objection to a Report and Recommendation is made, "a district court need only satisfy itself there is no

clear error on the face of the record." Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985). After conducting the appropriate level of review, the court may then accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1)(C); see also Local Civil Rule 72.1(d).

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation of United States Magistrate Judge Theodore H. Katz, dated May 19, 2008, be and the same hereby is, APPROVED, ADOPTED, and RATIFIED by the Court in its entirety; and,

2. Pursuant to Judge Katz's recommendations, it is ORDERED as follows: the Court accepts Defendant's waiver and permits him to proceed with the counsel of his choice, Edward D. Wilford.

SO ORDERED

DATED: New York, New York
 August 20, 2008

Deborah A. Batts
DEBORAH A. BATTS
United States District Judge